



California Regional Water Quality Control Board

San Francisco Bay Region



Winston H. Hickox
Secretary for
Environmental
Protection

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Gray Davis
Governor

Date: **JUN 25 2002**
File No. 2169.6041 (JC)

Certified Mail No. 70020460000292900502

Mr. Steve Gilbert
Director of Compliance
The Neptune Society of Northern California
4080 Horton Street
Emeryville, CA 94608

Dear Mr. Gilbert:

Subject: **Transmittal of Final Rescission Order for Neptune Society of Northern California, San Francisco**
Order No. R2-2002-0064
NPDES Permit No. CA0029581

Attached is a copy of the Final Rescission Order No. R2-2002-0064 adopted by the Board on June 19, 2002.

If you have any questions, please contact Ms. Jenny Chen at (510) 622-2405 or at jc@rb2.swrcb.ca.gov.

Sincerely,

Loretta K. Barsamian
Executive Officer

Attachment: Order No. R2-2002-0064

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. R2-2002-0064

NPDES NO. CA0029581

RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR:

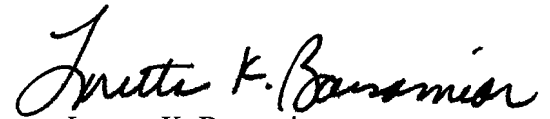
NEPTUNE SOCIETY OF NORTHERN CALIFORNIA
SAN FRANCISCO
SAN FRANCISCO COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Board) finds that:

1. Neptune Society of Northern California (Neptune) provides funeral services in the Bay Area, which include the scattering at sea of ashes from human cremations.
2. NPDES Permit No. CA0029581, Order No. 93-143, permits Neptune to scatter approximately 15,000 pounds of cremated human remains annually into Bonita Cove, an arm of the Pacific Ocean.
3. In accordance to Section 13260 of the California Water Code and Order 93-143, Neptune is required to file a Report of Waste Discharge, as application for reissuance of waste discharge requirements, no later than 180 days in advance of the permit expiration date of November 19, 1999. To date, no Report of Waste Discharge has been filed by Neptune.
4. Order No. 93-143 expired on November 19, 1999.
5. Under California Health and Safety Code, Chapter 6, Section 103050, Neptune is required to obtain a disposition permit from the local registrar of birth and death to scatter cremated human remains. In addition, Neptune is required to be licensed by the Department of Consumer Affairs, Cemetery and Funeral Bureau, and to conduct its business in accordance with California laws specified in the Business and Professions Code, and the Health and Safety Code. These laws restrict the manner and location of disposal of cremated remains.
6. Since Neptune's NPDES permit has expired and the scattering of cremated human remains is otherwise permitted by the local registrar of birth and death and the Department of Consumer Affairs, Cemetery and Funeral Bureau, NPDES Permit No. CA0029581 is no longer necessary, and should be rescinded.
7. The rescission of waste discharge requirements for these discharges is exempt from the provisions of Chapter 3 (commencing with Section 21000 of Division 13) of the Public Resources Code (CEQA) pursuant to Section 13389 of the California Water Code.
8. The Board has notified Neptune and interested agencies and persons of its intent to rescind waste discharge requirements, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
9. The Board, in a public meeting, heard and considered all comments pertaining to the rescission of waste discharge requirements for the above discharge.

IT IS HEREBY ORDERED that Order No. 93-143 is rescinded.

I, Loretta K. Barsamian, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on June 19, 2002.

A handwritten signature in black ink, reading "Loretta K. Barsamian". The signature is fluid and cursive, with the first name "Loretta" being more prominent and the last name "Barsamian" following in a similar style.

Loretta K. Barsamian
Executive Officer